

BOARD OF APPEAL REFERRALS

September 17, 1981

1. Z-5327 Eleanor Bassett
12 Lyndhurst Street, Dorchester
2. Z-5334 Cebert Grant
1360-1366 Blue Hill Avenue, Mattapan
3. Z-5336 Vito Cirrignano
416-420 East Third Street, South Boston
4. Z-5338 David Orcha
206(r) Corey Road, Brighton
5. Z-5339 Angelo Preziosa
16 Swan Avenue, East Boston
6. Z-5341 Ralph Siegel
916-918 East Broadway, South Boston
7. Z-5343 Louis Morales, Trustee
534a-534 Dudley Street, Roxbury
8. Z-5348 Peter J. Mulhern
357 Tremont Street, Boston
9. Z-5349 Paul J. Zuzevich
445-447 East Eighth Street, South Boston
10. Z-5350=5351 Trustees of Carlton House Trust
2 Commonwealth Avenue & 4-6 Newbury Street, Boston
11. Z-5353 191 Realty Corp.
191 West Canton Street, Boston
12. Z-5355-5362 Clarendon Trust
5,9,15,25,39,41 South Street & 210 Chestnut Hill Avenue,
Brighton
13. Z-5364 Boston Gas Company
220-238 Victory Road, Dorchester
14. Z-5372 Leonard Howell
5(r) Bilodeau Road, Dorchester
15. Z-5385 Winthrop Square Associates
7-11 Otis Street, Boston

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

September 17, 1981

Hearing: 9/22/81

Z-5327
Eleanor Bassett
12 Lyndhurst Street, Dorchester
near Washington Street

Three-story structure.

District(s): apartment _____ general business _____ industrial _____
residential R-.5 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from three- to six-family dwelling.

Violation(s):

Section

- 8-7. Multi-family dwelling is forbidden in an R-.5 district.
- 14-1. Lot area is insufficient.
- 14-3. Lot width is insufficient.
- 15-1. Floor area ratio excessive.
- 18-1. Front yard is insufficient.
- 19-1. Side yard is insufficient.
- 14-4. Street frontage is insufficient.

Premises are one-half of a brick duplex structure (12-14). Six-family occupancy is existing and compatible with five units at #14. Legalization of this condition will allow petitioner to sell property. No neighborhood reaction. Recommend approval.

VOTED: In reference to Petition Z-5327, brought by Eleanor Bassett, 12 Lyndhurst Street, Dorchester, for a forbidden use and six variances for change of occupancy from three- to six-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Premises are one half of a brick duplex structure (12-14). Six-family occupancy is existing and compatible with five units at #14. Legalization of this condition will allow petitioner to sell property.



M.B.T.A. (UNDERGROUND)

M.B.T.A. SHAWMUT STATION

SAMOSET

M.B.T.A. (COVERED UNDERGROUND)

Z-5327

12 LYNDHURST ST.
(D.D.R.)

MELBOURNE

WAINWRIGHT

SEABORN

KENWOOD

SECOND CHURCH
DOWNTOWN
BOSTON

GIRLS' HIGH SCHOOL

CODMAN SQUARE
TALBOT

WASHINGTON

Board of Appeal Referrals 9/17/81

Z-5334
Cebert Grant
1360-1366 Blue Hill Ave.,
Mattapan at Babson Street.

Hearing: 9/29/81
One story structure

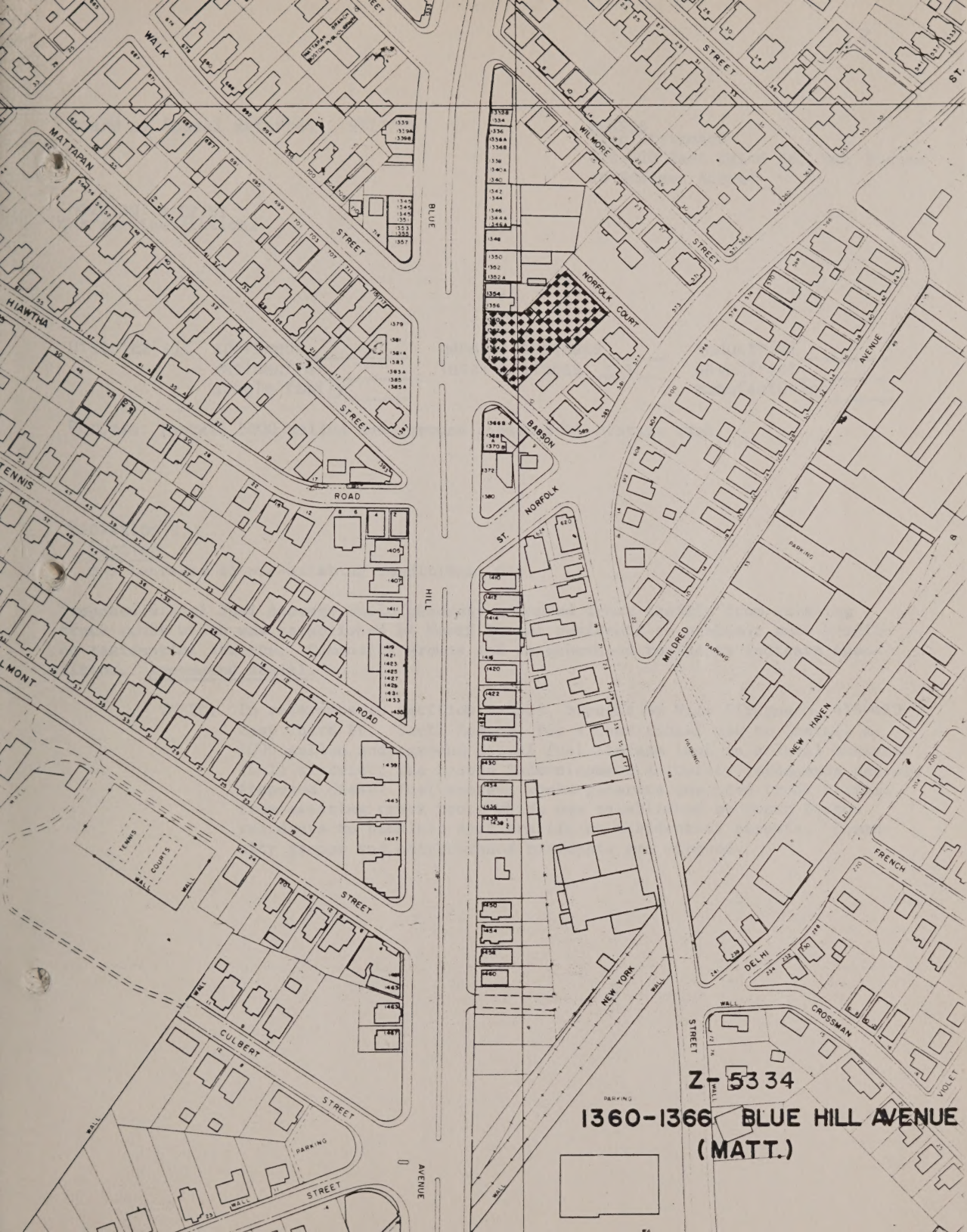
District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from laundromat, stores, offices, auto body repair shop
to laundromat, stores auto body repair shop and sale of second hand motor
vehicles.

Violation(s):
Section
8-7 outdoor sale or display for sale of motor vehicles is forbidden in an L-1
district.

Petitioner proposes to sell 10-15 used cars in rear of existing building. This
forbidden use is contrary to city planning policy for rehabilitation of Blue Hill
Ave and would seriously impact adjacent residential neighborhood with its attendant
traffic and noise. Residents have expressed strong opposition. Recommend denial.

VOTED: In reference to petition Z-5334, brought by Cebert Grant, 1360-
1366 Blue Hill Ave., Mattapan, for a forbidden use for change
of occupancy from laundromat, stores, offices, auto body repair
shop and sale of second hand motor vehicles in a local business
(L-1) district, the Boston Redevelopment Authority recommends
denial. Petitioner proposes to sell 10-15 used cars in rear of
existing building. This forbidden use is contrary to city plan-
ning policy for rehabilitation of Blue Hill Ave. and would seriously
impact adjacent residential neighborhood with its attendant traffic
and noise.



Z-5334

1360-1366 BLUE HILL AVENUE
(MATT.)

Board of Appeal Referrals 9/17/81

Z-5336
Vito Cirrignano
416-420 East Third St., So. Boston
at Emerson Street

Hearing: 9/22/81
Gas service station.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: Install 5000 gallon underground diesel fuel storage tank.

Violation(s):
Section
8-6 increase in pre-existing conditional use.

Proposed diesel fuel storage would generate unwanted truck traffic from existing truck route which was established by South Boston residents to prohibit such traffic on residential streets. Community groups and neighborhood residents indicate opposition. Recommend denial.

VOTED: In reference to petition Z-5336, brought by Vito Cirrignano, 416-420 East Third St., South Boston, for a conditional use to install a 5000 gallon underground diesel fuel storage tank in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Proposed diesel fuel storage would generate unwanted truck traffic from existing truck route which was established by South Boston residents to prohibit such traffic on residential streets. Community groups and neighborhood residents are opposed.



Board of Appeal Referrals 9/17/81

Z-5338

David Orcha

206 (r) Corey Road, Brighton
near Summit Avenue

Hearing: 9/22/81

One story structure

District(s): apartment _____ general business _____ industrial _____
residential R-8 _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: legalize occupancy - one family dwelling

Violation(s):

Section

14-4 access to building on rear of lot is insufficient.

18-1 front yard is insufficient.

19-1 side yard is insufficient.

20-1 rear yard is insufficient.

Structure is a frame garage/barn located behind the owner's two family dwelling.
Yard deficiencies will not impact adjacent properties. Recommend approval with
design review.

VOTED: In reference to petition Z-5338, brought by David Orcha, 206
(r) Corey Road, Brighton, for four variances to legalize occupancy
as one family dwelling in a residential (R-8) district, the
Boston Redevelopment Authority recommends approval provided plans
are submitted for design review.

Z-5338
206(R) COREY ROAD
(BRI.)



Board of Appeal Referrals 9/17/81

Z-5339
Angelo Prezioso
16 Swan Ave., East Boston
near Leverett Ave.

Hearing: 9/22/81
5246 square feet of vacant land.

District(s):	apartment _____	general business _____	industrial _____
	residential <u>R-8</u>	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: Erect one family dwelling.

Violation(s):
Section
18-1 front yard is insufficient.
19-1 side yard is insufficient.
20-1 rear yard is insufficient.

Proposal is consistent with one-two family neighborhood. Minimal yard deficiencies will not have an adverse impact. Recommend approval.

VOTED: In reference to petition Z-5339, brought by Angelo Prezioso, 16 Swan Ave., East Boston, for three variances to erect a one family dwelling in a residential (R-8) district, the Boston Redevelopment Authority recommends approval. Proposal is consistent with one-two family area. Minimal yard deficiencies will not have an adverse impact.

Z-5339
16 SWAN AVE
(128)



Z-5339
16 SWAN AVE.
(E.B.)

Board of Appeal Referrals 9/17/81

Z-5341
Ralph Siegel
916-918 East Broadway
South Boston near
P Street

Hearing: 9/29/81
Three story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-8</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Legalize occupancy - three family dwelling and dental lab.

Violation(s):

Section

- 8-7 any dwelling converted for more families which does not meet the requirements of lot area is forbidden in an R-8 district.
- 9-2 change in a non conforming use.
- 14-2 lot area is insufficient.
- 17-1 open space is insufficient.

Occupancy has existed for several years. Street level lab was previously occupied as a dental office. Residents and community groups generally support. Recommend approval.

VOTED: In reference to petition Z-5341, brought by Ralph Siegel, 916-918 East Broadway, South Boston, for a forbidden use, change in a non-conforming use and two variances to legalize occupancy for three family dwelling and dental lab in a residential (R-8) district, the Boston Redevelopment Authority recommends approval. Occupancy has existed for several years. Street level lab was previously occupied as dental office. Residents and community groups generally support.

Board of Appeal Referrals 9/17/81

Z-5343

Louis Morales, Trustee
534a-534 Dudley St., Roxbury
near Albion Street

Hearing: 9/29/81
One story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from retail store to social club

Violation(s):

Section

8-7 private club is conditional in an L-1 district

Facility will provide informal meeting place for local people with daily closing no later than midnight. Recommend approval with proviso.

VOTED: In reference to petition Z-5343, brought by Louis Morales, Trustee, 534a-534 Dudley Street, Roxbury, for a conditional use for change of occupancy from retail store to social club in a local business (L-1) district, the Boston Redevelopment Authority recommends approval with proviso that daily closing be no later than midnight.



2-5343

534A-534 DUBLEY ST
(ROX)

Board of Appeal Referrals 9/17/81

Z-5348

Peter J. Mulhern
357 Tremont Street, Boston
at Church Street

Hearing: 9/29/81
Gas service station

District(s): apartment _____ general business B-4 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from lubritorium to gas service station, delivery service office and accessory parking for employees, customers and delivery service vehicles; remove four existing underground gasoline storage tanks (total 8000 gallons) and install three ten thousand gallon tanks.

Violation(s):

Section

8-6 extension of a conditional use

Larger storage tanks with modern vapor recovery systems will replace obsolete tanks and allow decrease in bulk deliveries to site. Recommend approval with proviso.

VOTED: In reference to petition Z-5348, brought by Peter J. Mulhern, 357 Tremont Street, Boston, for a conditional use for change of occupancy from lubritorium to gas service station, delivery service office, accessory parking and install three 10,000 gallon underground gasoline storage tanks in a general business (B-4) district, the Boston Redevelopment Authority recommends approval with the following provisos: That facility comply with Board of Appeal guidelines for gas service stations; that missing exterior enamel panels and broken window be replaced; that stockade fence be repaired; that any renovation plans be submitted to the Authority for design review.



Z-5348
357 TREMONT ST.
(B.P.)

Board of Appeal Referrals 9/17/81

Z-5349

Paul J. Zuzevich
445-447 East Eighth St.,
South Boston near
G Street

Hearing: 9/22/81

Three story structure.

District(s): apartment H-1-50 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: Change occupancy from two family dwelling and store to three apartments.

Violation(s):

Section

- 8-7 any dwelling converted for more families which does not meet the lot area and open space requirements is forbidden in an H-1-50 district.
- 14-2 lot area is insufficient.
- 17-1 open space is insufficient.

Conversion of store to residential occupancy is desirable and beneficial to the neighborhood. Recommend approval with proviso.

VOTED: In reference to petition Z-5349, brought by Paul J. Zuzevich, 445-447 East Eighth St., South Boston, for a forbidden use and two variances for change of occupancy from two family dwelling and store to three apartments in an apartment (H-1-50) district the Boston Redevelopment Authority recommends approval with proviso that exterior plans are submitted for design review.



ST. PETER SCHOOL
BENJAMIN DEAN SCHOOL
THOMAS GRAMMER SCHOOL
SOUTH BOSTON HIGH SCHOOL
TELEGRAPH HILL PARK
PARK
PARK
COLUMBIA
EAST
FIFTH
SIXTH
SEVENTH
EIGHT
COLUMBIA
ST. PETER
WEBB PK
BAYVIEW
BREWSTER
SPRINGER
SANGER
WINFIELD
HAMLIN
DOUGLAS
COVINGTON
MASS 230
WM J FOLEYS APTS
BOSTON HOUSING AUTHORITY
Z-5349
445-47
(S.M.B.)

Board of Appeal Referrals 9/17/81

Z-5350-5351

Trustees of Carlton House Trust
2 Commonwealth Ave &
4-6 Newbury St., Boston

Hearing: 9/29/81

Hotel-Apartments-Garage

District(s): apartment H-5 general business B-3-65 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Erect signs; change occupancy from ancillary parking garage to ancillary parking garage & public parking.

Violation(s):

Section

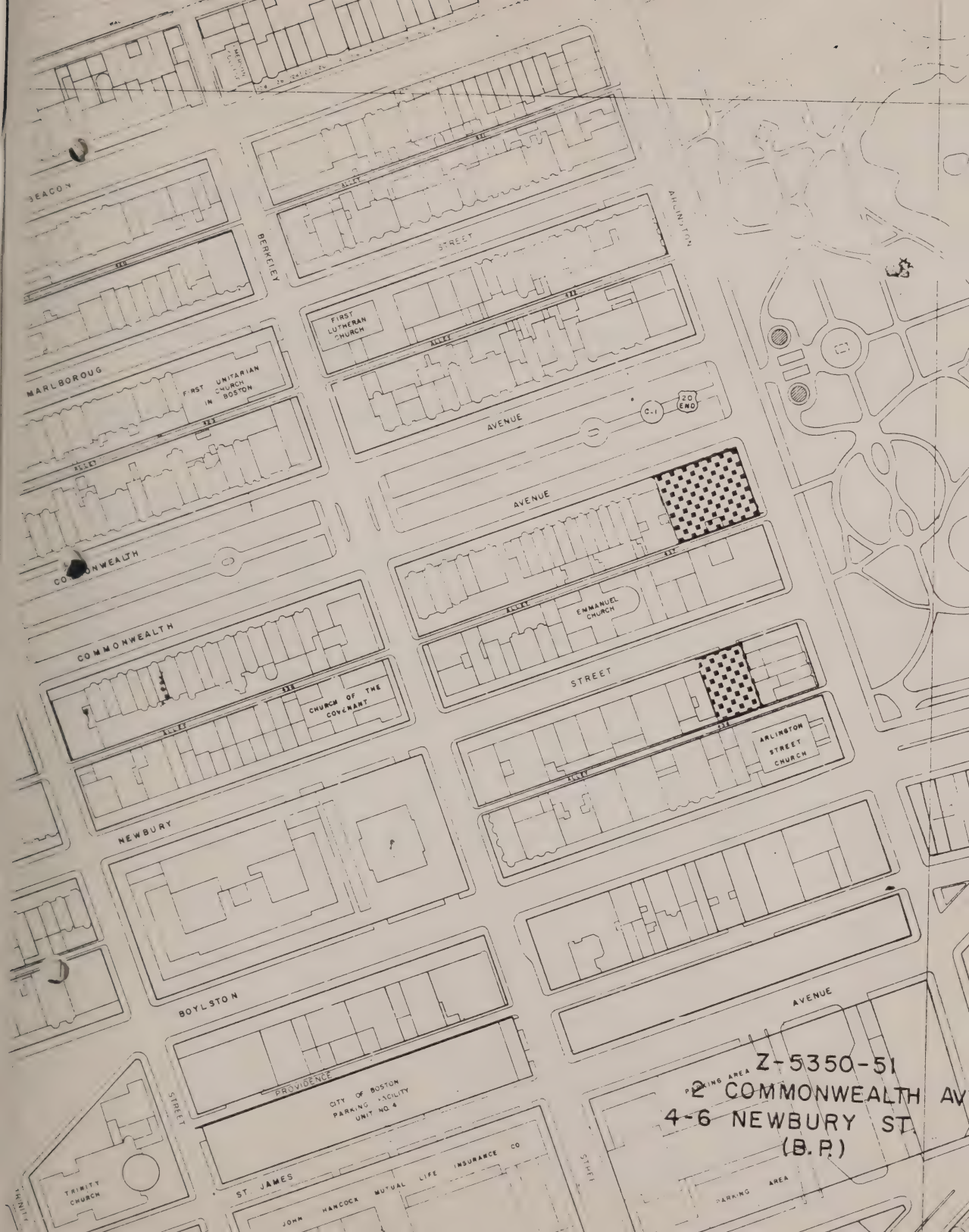
6-4 in variance with former decision of Board of Appeal.

11-1-4 signs do not conform to code.

8-7 parking garage is conditional in a restricted parking district.

Commercial, marquee and parking signs would be removed and installed per amended plans. Also, 49 of present 128 ancillary garage spaces would be allotted for public parking; this would tend to alleviate some of the acute traffic congestion in the area. Back Bay Architectural Commission has approved petition. Recommend approval.

VOTED: In reference to petitions Z-5350-5351, brought by Trustees of Carlton House Trust, 2 Commonwealth Avenue & 4-6 Newbury Street, Boston for two conditional uses and two variances to erect signs and change occupancy from ancillary parking garage to ancillary parking garage and public parking in apartment (H-5) and general business (B-3-65) districts, the Boston Redevelopment Authority recommends approval. Garage use for public parking will tend to alleviate some of the acute traffic congestion in the area. Back Bay Architectural Commission has approved petition.



Z-5350-51
2 COMMONWEALTH AV
4-6 NEWBURY ST
(B.P.)

Board of Appeal Referrals 9/17/81

Z-5353

191 Realty Corp.

191 West Canton St., Boston
near Appleton Street

Hearing: 9/15/81

Vacant land.

District(s): apartment H-3 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Erect five unit apartment structure.

Violation(s):

Section

15-1 floor area ratio is excessive.

17-1 open space is insufficient.

23-1 off street parking is insufficient.

Proposed structure will be consistent with adjacent bow front structures and conform with general design standards and criteria for new construction of the South End Landmark District Study. Recommend approval with proviso.

VOTED: In reference to petition Z-5353, brought by 191 Realty Corp., 191 West Canton St., Boston, for three variances to erect a five unit apartment structure in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Proposed structure will be consistent with adjacent bow front structures and conform with general design standards and criteria for new construction of the South End Landmark District study.

Z-5353
191 WEST CANTON ST.
(B.P.)



Board of Appeal Referrals 9/17/81

Z-5355-5362

Clarendon Trust

5,9,15,19,25,39,41 South St.

and 210 Chestnut Hill Ave., Brighton

Hearing: 9/29/81

Three story structures

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy form dormitories to 4,6,6,14,6,6,7 apartments respectively; change occupancy from three family dwelling to seven apartments.

Violation(s):

Section

15-1 floor area ratio is excessive.

17-1 open space is insufficient.

8-7 Any dwelling converted for more families which does not meet the lot area, open space and off street parking requirements.

14-2 lot area is insufficient.

23-1 off street parking is insufficient.

Structures formerly occupied as Boston College dormitories. Proposed residential use consistent with multi family character of neighborhood. Recommend approval with proviso.

VOTED: In reference to petition Z-5355-5362, brought by Clarendon Trust, 5-41 South St., 210 Chestnut Hill Ave., Brighton, for a forbidden use and fifteen variances for change of occupancy form dormitories to 4,6,6,14,6,6,7 apartments respectively and from three family dwelling to seven apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review.



2-5855-62
5-9-15-19-25-39-41 SOUTH ST
210 CHESTNUT HILL AV
(BRI.)

ALEXANDER
JANET TON
ELEMENTARY SCHOOL

FIRST CHURCH
UNITARIAN

COMMONWEAL
ROAD

RESERVOIR

Board of Appeal Referrals 9/17/81

Z-5364

Boston Gas Company
220-238 Victory Road, Dorchester
near Freeport Street

Hearing: 9/29/81

Gas storage facility

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront W-2
single family _____ manufacturing _____

Purpose: erect two above ground compressed natural gas storage tanks.

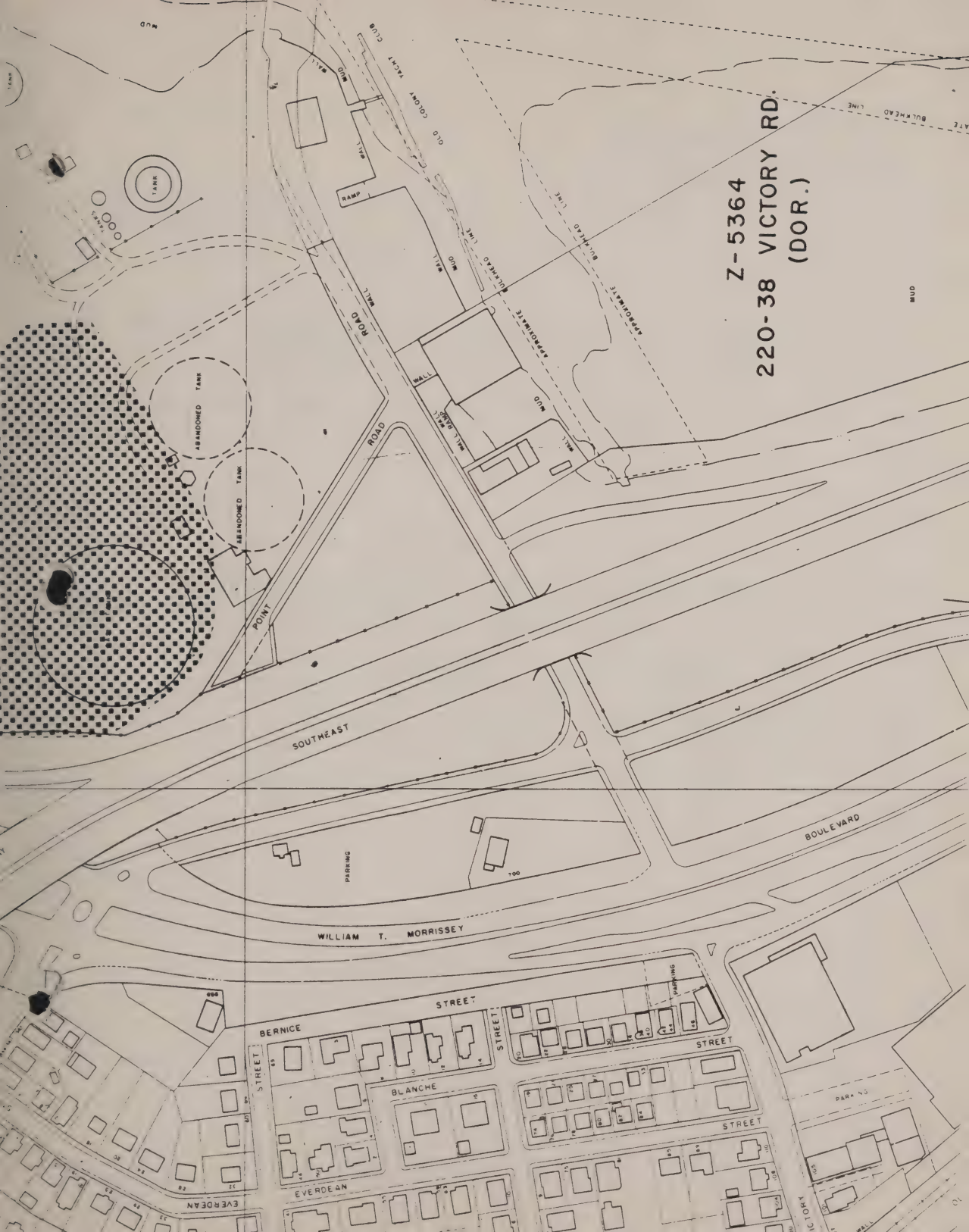
Violation(s):

Section

8-7 storage of more than 10,000 cubic feet of gases is conditional in a W-2 district provided such storage is screened by a wall or tight fence not less than seven feet high.

Fueling station containing a total of approximately 20,400 cubic feet of natural gas in two 22'x 20' tubes/tanks will be enclosed on three sides by three foot thick concrete walls which vary in height of 5 1/2' to 14'. It will allow use of the gas as an alternative fuel to gasoline in company vehicles operating from this location. The huge facility has a high level of security. Direct telephone lines connect to both police and fire departments. Recommend approval.

VOTED: In reference to petition Z-5364, brought by Boston Gas Company, 220-238 Victory Road, Dorchester, for a conditional use to erect two above ground compressed natural gas storage tanks in a waterfront (W-2) district, the Boston Redevelopment Authority recommends approval. Fueling station containing a total of approximately 20,400 cubic feet of natural gas in two 22' x 20' tubes/tanks will be enclosed on three sides by three foot thick concrete walls which vary in height from 5 1/2' to 14'. It will allow use of the gas as an alternative fuel to gasoline in company vehicles operating from this location. The huge facility has a high level of security. Direct telephone lines connect to both police and fire departments.



Z-5364
220-38 VICTORY RD.
(DOR.)

Board of Appeal Referrals 9/17/81

Z-5372

Leonard Howell

5 (r) Bilodeau Road, Dorchester
near Washington Street

Hearing: 9/22/81

One story structure

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from two car garage to two car repair shop garage.

Violation(s):

Section

8-7 repair shop garage is forbidden in an H-1 district.

Accessory two car garage is located to the rear of a two family dwelling. Conversion to repair garage would be inimical to the properties on this small cul de sac residential street. Residents are opposed. Recommend denial.

VOTED: In reference to petition Z-5372, brought by Leonard Howell, 5 (r) Bilodeau Road, Dorchester, for a forbidden use for change of occupancy from two car garage to two car repair shop garage in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. Accessory two car garage is located to the rear of a two family dwelling. Conversion to repair garage would be inimical to the properties on this small cul de sac residential street.



Z-5372

5(R) BILODEAU RD.
(DOR.)

CO. MB. A

Board of Appeal Referrals 9/17/81

Z-5385

Winthrop Square Associates
7-11 Otis Street, Boston
at Winthrop Square

Hearing: 9/29/81
five story structure

District(s): apartment _____ general business B-10 _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from offices, restaurant, lounge to offices and stores;
erect one story addition.

Violation(s):

Section

20-1 rear yard is insufficient.

21-1 set back of parapet is insufficient.

One story addition over roof will be used for office space.
Recommend that applicant make presentation to the Authority.

VOTED: In reference to petition Z-5385, brought by Winthrop Square Associates, 7-11 Otis Street, Boston, for two variances for change of occupancy from offices, restaurant, lounge to offices and stores and erect a one-story addition in a general business (B-10) district, the Boston Redevelopment Authority recommends that the Board of Appeal take no action until the applicant has made a presentation to the Authority, after which a recommendation will be made.



Z-5385

7-11 OTIS ST.
(B.P.)

